

Message

From: Rodriguez, Roberto [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5E345F10FDF14A51A8FAA5EADCD0D657-RRDRIGU]
Sent: 9/20/2018 6:40:55 PM
To: Berg, Elizabeth [Berg.Elizabeth@epa.gov]
Subject: RE: Enforcement's weekly report

Nothing yet. I'm going to ask Susan O for an update.

Roberto Rodriguez, Manager
SDWA Enforcement Office
Enforcement Division, EPA Region 9
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San Francisco, CA 94105
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From: Berg, Elizabeth
Sent: Thursday, September 20, 2018 11:40 AM
To: Rodriguez, Roberto <Rodriguez.Roberto@epa.gov>
Subject: Fwd: Enforcement's weekly report

Did OECA give final thumbs up?

Sent from my iPhone

Begin forwarded message:

From: "Anderson, Julie" <Anderson.Julie@epa.gov>
Date: September 20, 2018 at 12:29:37 PM CDT
To: "Johnson, Kathleen" <Johnson.Kathleen@epa.gov>, "Jones, Joel E." <Jones.Joel@epa.gov>, "TROMBADORE, CLAIRE" <Trombadore.Claire@epa.gov>, "Berg, Elizabeth" <Berg.Elizabeth@epa.gov>, "Brush, Jason" <Brush.Jason@epa.gov>, "Greenberg, Ken" <Greenberg.Ken@epa.gov>, "Wampler, David" <Wampler.David@epa.gov>, "Salazar, Matt" <Salazar.Matt@epa.gov>, "Rodriguez, Roberto" <Rodriguez.Roberto@epa.gov>, "McDaniel, Doug" <McDaniel.Doug@epa.gov>, "Magnan, Eric" <Magnan.Eric@epa.gov>, "Morimoto, Kaoru" <Morimoto.Kaoru@epa.gov>, "Goforth, Kathleen" <Goforth.Kathleen@epa.gov>, "Dunning, Connell" <Dunning.Connell@epa.gov>, "Ty, Fatima" <Ty.Fatima@epa.gov>
Subject: Enforcement's weekly report

WEEKLY REPORT
Enforcement Division
September 24, 2018

PAST WEEK ACCOMPLISHMENTS

Compliance Assistance: On September 17 EPA, along with the Western States Petroleum Association, DTSC, the local CUPAs and the South Coast AQMD, conducted a very successful RCRA compliance assistance workshop for southern California refineries at the WSPA offices in Torrance, CA. Representatives from Chevron, PBF Energy, PBF Logistics, Valero Wilmington, and Andeavor (Tesoro) were present. Sharon Lin of Enforcement Division conceived of and organized the workshop. WSPA indicated that their members would like to see more EPA RCRA workshops in the future. We are planning a similar workshop for northern California refineries during the first half of FY 2019. (S. Lin, 2-3446)

Mobile Source Training in Region 4 (Atlanta): Region 9 inspector Janice Chan joined OECA staff as a trainer this week for a 3-day comprehensive introduction to enforcement of Clean Air Act mobile sources. The training focused on provisions of the CAA regulating vehicle and engine imports, as well as defeat devices. Hands-on training with practice field inspections of numerous vehicles and engines was included in the curriculum. Participants included civil enforcement staff, ORC, CID, program office staff, and state partners. In August, Andy Zellinger and Elfego Felix provided similar training for Region 5 in Chicago. In October, Rose Galer will provide training in Region 8. Enforcement of the mobile source provisions of the CAA is not delegated to the states. (J. Chan, 2-3308)

Hopi Village Public Water Systems (PWSs)-SDWA Unilateral Orders: This week Region 9 intends to issue unilateral administrative orders to 3 Hopi villages for violations of the SDWA's arsenic maximum contaminant level (MCL) at four community water systems (Polacca PWS, Shungopavi PWS, Sipaulovi PWS, and Mishongnovi PWS). Arsenic running annual averages for these systems vary from approximately 15-25 ppb. Indian Health Service and EPA are funding a regional consolidation project called the Hopi Arsenic Mitigation Project (HAMP) that will run a pipeline from newly drilled, compliant wells to existing PWSs, including the four village systems, on the Hopi reservation. The HAMP is expected to be completed in December 2023. (H. Hecht, 7-4266 and C. Carroll, 2-3736)

Cobb Tuning LLC Notice of Violation (Defeat Devices): This week EPA Region 9 is sending an NOV to Cobb Tuning LLC (Cobb Tuning) for manufacturing and selling aftermarket automotive defeat devices in violation of the vehicle tampering prohibitions under Title II of the Clean Air Act (CAA). Section 203 of the CAA makes it a violation "for any person to manufacture or sell... any part or component intended for use with... any motor vehicle or motor vehicle engine, where a principal effect of the part or component is to bypass, defeat, or render inoperative any ... motor vehicle or motor vehicle engine...." Cobb Tuning, which has a retail location in Southern California while headquartered in Austin, Texas, manufactures and sells exhaust components that enable the removal of the emissions controls from light-duty gasoline vehicles. The NOV alleges that the principal effect of these products is to bypass, defeat, or render inoperative elements of the motor vehicle and engine's design to control emissions of regulated air pollutants. The NOV alleges that Cobb Tuning sold over 55,000 violative components from January 1, 2015 through August 29, 2017. Enforcement of the mobile source provisions of the CAA is not delegated to the states. (Andrew Chew, x7-4197)

True View Windows and Glass Settlement: True View Windows and Glass (Arizona) has settled a case resulting from violations of the TSCA lead-based paint Pre-Renovation Education (PRE) and Renovation, Repair, and Painting (RRP) rules. The company failed to follow lead-safe work practices or keep proper work records when renovating pre-1978 homes that may contain lead-based paint. As part of the settlement, True View has agreed to pay a \$15,060 penalty and perform a SEP valued at \$14,940 that consists of donating blood lead analyzers to community health clinics in Maricopa County. The analyzers enable children to be screened in a few minutes for blood lead levels of concern, rather than waiting days for blood sample results to be returned from a lab. (Weintraub, 7-4163).

Value Group Enterprises dba SSR Motorsports Settlement: EPA reached a settlement with Value Group on September 10, 2018 for the illegal importation of 108 highway motorcycles. The design of the catalyst on these motorcycles differed significantly from the certified design. Due to being a 2nd time violator, Value Group paid a \$50,000 penalty in addition to having to export the vehicles out of the country. Enforcement of the mobile source provisions of the CAA is not delegated to the states. (N. Dancher, 2-3482)

FIFRA Settlement Agreements for Pesticide Production Reporting Violations: Region 9 expects to file 6 Expedited Settlement Agreements and one CAFO the week of September 17 for failure to complete and submit an annual pesticide production report per Section 7 of FIFRA. Under the 6 ESAs, FGS Packing Services, Ventura Transfer Company, Argo Chemical, Ze Lin Cheu, E.B.Bradley, and Abcana Industries, Inc. reported their pesticide production and agreed to pay penalties totaling \$9,000. Under the CAFO, Arizona's Best Pool Service reported pesticide production and agreed to pay a civil penalty of \$8,558. (E.Magnan, 7-4179)

Energy Forum Speech: Elizabeth Berg will speak at the King & Spalding Energy Forum "Incident Response and Preparedness: Defending on Multiple Fronts" in Houston, TX this week. Her session topic is "Preparing for Regulatory Inspections."

UPCOMING MAJOR PUBLIC EVENTS

ENF:

Industrial Environmental Association Conference: Division Director Kathleen Johnson will be the lunchtime plenary speaker 9/27 at the Industrial Environmental Association Conference in Coronado, CA. She will share the podium with Christiana Tiedemann, Deputy Secretary for Law Enforcement and Counsel, CA EPA. (K. Johnson, 2-3873)